

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Joel Edward Murphy
Bonnie Lynn Murphy
Debtor(s)

Bankruptcy Case No.: 16-10928-TPA
Per November 13, 2018 Proceeding
Chapter: 13
Docket No.: 71 – 63, 65
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 9, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,204.00 as of November, 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: 1) Fee Application needed if fees (including retainer) exceed \$4,000.00. 2) Erie Tax Claim Bureau to govern as to tax years in claim, and to be paid for 2016 taxes per Plan.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: November 19, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Joel Edward Murphy
 Bonnie Lynn Murphy
 Debtors

Case No. 16-10928-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

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 Total Noticed: 92

Date Rcvd: Nov 19, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 21, 2018.

db/jdb
 cr +Joel Edward Murphy, Bonnie Lynn Murphy, 1822 Walnut Street, Erie, PA 16502-1755
 +Specialized Loan Servicing LLC as servicing agent, 8742 Lucent Blvd, Suite 300,
 Highlands Ranch, CO 80129-2386
 cr +WILMINGTON SAVINGS FUND SOCIETY, FSB, 8742 Lucent Blvd, Suite 300,
 Highlands Ranch, CO 80129-2386
 14317245 +ASPM, 229 Third Street, Cambridge, MA 02142-1129
 14294646 +AmeriCredit/GM Financial, PO Box 183853, Arlington, TX 76096-3853
 14317244 +American Coradius International LLC, PO Box 717, Getzville, NY 14068-0717
 14317247 Belott Law Firm, Renaissance Center St., Erie, PA 16501
 14294649 +CCI/Contract Callers Incorporated, PO Box 3000, Augusta, GA 30914-3000
 14294648 +Carmel Financial Corporation, C/O Aam, 101 East Carmel Drive, Suite 205,
 Carmel, IN 46032-2668
 14294650 +Chase Card, PO Box 15298, Wilmington, DE 19850-5298
 14378849 CitiFinancial Servicing LLC, P.O. Box 6043, Sioux Falls, SD 57117-6043
 14317248 +Citibank SD, Na, Attn: Centralized Bankruptcy, PO Box 790034, Saint Louis, MO 63179-0034
 14317250 +Convergent Healthcare Recoveries Inc, 124 SW Adams Street, Suite 215,
 Peoria, IL 61602-2321
 14317251 +Convergent Outsourcing Inc, 800 SW 39th Street, PO Box 9004, Renton, WA 98057-9004
 14294651 +Credit Acceptance, 25505 West 12 Mile Road, Suite 3000, Southfield, MI 48034-8331
 14317252 +Credit Bureau Collection Services Inc, PO Box 163333, Columbus, OH 43216-3333
 14317254 +Credit Protection Association LP, PO Box 802068, Dallas, TX 75380-2068
 14317255 +Creditech, PO Box 99, Bangor, PA 18013-0099
 14317256 +Del Sol Medical Center, PO Box 740782, Cincinnati, OH 45274-0782
 14375442 Directv, LLC, by American InfoSource LP as agent, PO Box 5008,
 Carol Stream, IL 60197-5008
 14294656 +Erie County Tax Claim Bureau, 140 West Sixth Street, Room 110, Erie, PA 16501-1073
 14294657 First Premier, 601 South Minneapolis Avenue, Sioux Falls, SD 57104
 14294659 +First Savings Credit Card, PO Box 5019, Sioux Falls, SD 57117-5019
 14317260 +Foot & Ankle Care Centers, 3 Greenville Orthopedic Center, Greenville, PA 16125-1210
 14294660 Fst Premier, 601 S Minneapolis Ave, Sioux Falls, SD 57104
 14294661 +Full Service Network, 600 Grant Street - Floor 30, Pittsburgh, PA 15219-2709
 14317261 +Genoa, a Qol Healthcare Co, 1330 West 26th Street, Erie, PA 16508-1402
 14294662 +IC Systems, Inc, 444 Highway 96 East, St Paul, MN 55127-2557
 14317262 +JC CHRISTENSEN & ASSOC, PO BOX 519, SAUK RAPIDS MN 56379-0519
 (address filed with court: J.C. Christensen & Associates Inc, PO Box 519,
 Sauk Rapids, MN 56379)
 14317264 +Medical Associates of Erie, Osteopathic Internal Medical, One Lecom Place,
 Erie, PA 16505-2571
 14317265 +Medicor Associates Inc, 104 East 2nd Street, 2nd Floor, Erie, PA 16507-1532
 14317266 +Montgomery Lynch & Associates Inc, PO Box 22720, Beachwood, OH 44122-0720
 14317267 +National Asset Recovery Services Inc, PO Box 1898, Saint Charles, MO 63302-1898
 14317268 +Nations Recovery Center Inc, PO Box 620130, Atlanta, GA 30362-2130
 14317269 #+Nationwide Credit Inc, PO Box 26314, Lehigh Valley, PA 18002-6314
 14317270 +Nationwide Recovery Systems, 501 Shelley Drive, #300, Tyler, TX 75701-9553
 14317272 +Northland Group Inc, PO Box 390846, Minneapolis, MN 55439-0846
 14317273 +Northshore Clinical Associates, 120 East 2nd Street, Floor 3, Erie, PA 16507-1578
 14317274 +Northwest Savings Bank, Attn: Colleen Lamberto, PO Box 337, Warren, PA 16365-0337
 14317275 #+Orion Portfolio Services LLC, 53 Perimeter Center, Suite 450, Atlanta, GA 30346-2287
 14317276 +Orthopaedic & Sports Medicine of Erie PC, 100 Peach Street, Suite 400,
 Erie, PA 16507-1423
 14317277 +Osteopathic Cardiology Associates LLC, 4002 Schaper Avenue, Suite A, Erie, PA 16508-3358
 14317278 +Pathology Associates of Erie, 5700 Soutwyck Boulevard, Toledo, OH 43614-1509
 14294670 +Penn Credit, Attn:Bankruptcy, PO Box 988, Harrisburg, PA 17108-0988
 14294671 +Progressive Insurance Company, 2450 Severn Avenue, Suite 102, Metairie, LA 70001-6956
 14317279 +RAZOR Capital LLC, PO Box 390243, Minneapolis, MN 55439-0243
 14317282 +RMS, PO Box 361595, Columbus, OH 43236-1595
 14317280 +Receivables Outsourcing LLC, PO Box 549, Timonium, MD 21094-0549
 14317281 +Regional Health Services, 510 Cranberry St, Erie, PA 16507-1075
 14317283 +Southwest X-Ray LP, PO Box 220122, El Paso, TX 79913-2122
 14317284 +St. Vincent Institute, 232 West 25th Street, Erie, PA 16544-0001
 14294675 +Trident Asset Management, PO Box 888424, Atlanta, GA 30356-0424
 14371579 UPMC Community Medicine, PO Box 1123, Minneapolis, MN 55440-1123
 14317287 +UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472
 14294676 +United Collection Services, 106 Commerce Street Suite 101, Lake Mary, FL 32746-6217
 14317288 +Vision Financial Corp., 5301 East State Street Lower Level, Rockford, IL 61108-2457
 14379904 +WF 19 Grantor Trust, C/O Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300,
 Highlands Ranch, Colorado 80129-2386
 14726443 +Wilmington Savings Fund Society, c/o Aldridge Pite, LLP, 4375 Jutland Drive, Suite 200,
 P.O. Box 17933, San Diego, CA 92177-7921
 14749010 +Wilmington Savings Fund Society, FSB, Carrington Mortgage Services, LLC,
 1600 South Douglass Road, Anaheim, CA 92806-5948
 14886266 +Wilmington Savings Fund Society, FSB Trustee, c/o 8742 Lucent Blvd, Suite 300,
 Highlands Ranch, Colorado 80129-2386

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Total Noticed: 92

Date Rcvd: Nov 19, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
cr E-mail/PDF: rmscedi@recoverycorp.com Nov 20 2018 03:15:16
Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,
Miami, FL 33131-1605
14317246 +E-mail/Text: g20956@att.com Nov 20 2018 03:07:00 AT&T Mobility,
1025 Lenox Park Boulevard NE, Atlanta, GA 30319-5309
14317243 +E-mail/Text: EBNProcessing@afni.com Nov 20 2018 03:06:42 Afni Inc, PO Box 3427,
Bloomington, IL 61702-3427
14294647 +E-mail/Text: bnc-applied@quantum3group.com Nov 20 2018 03:06:51 Applied Card Bank,
Attention: Bankruptcy, PO Box 17125, Wilmington, DE 19850-7125
14365373 E-mail/PDF: resurgentbknnotifications@resurgent.com Nov 20 2018 03:15:18 CACH, LLC,
PO BOX 10587, Greenville, SC 29603-0587
14294652 +E-mail/Text: bankruptcy_notifications@ccsusa.com Nov 20 2018 03:07:19
Credit Collections Svc, PO Box 773, Needham, MA 02494-0918
14317253 +E-mail/PDF: creditonebknnotifications@resurgent.com Nov 20 2018 03:15:47 Credit One Bank,
PO Box 98875, Las Vegas, NV 89193-8875
14331895 +E-mail/PDF: resurgentbknnotifications@resurgent.com Nov 20 2018 03:15:19
Del Sol Medical Center, Resurgent Capital Services, PO Box 1927,
Greenville, SC 29602-1927
14294653 E-mail/Text: Bankruptcy.Consumer@dish.com Nov 20 2018 03:06:28 Dish Network,
Department 0063, Palatine, IL 60055-0063
14294654 +E-mail/Text: bankruptcyntices@dcicollect.com Nov 20 2018 03:07:00 Diversified Consultant,
Dci, PO Box 551268, Jacksonville, FL 32255-1268
14294655 +E-mail/Text: Billing_Paperwork@emergycare.org Nov 20 2018 03:07:18 Emergycare, Incorporated,
1926 Peach Street, Erie, PA 16502-2872
14317257 +E-mail/Text: csbankruptcy@eriewaterworks.org Nov 20 2018 03:07:05 Erie Water Works,
Collection Department, 340 West Bayfront Parkway, Erie, PA 16507-2004
14317258 +E-mail/Text: fsgb@fsgbcollections.com Nov 20 2018 03:07:17 Finance System of Green Bay Inc,
301 North Jackson Street, Green Bay, WI 54301-4938
14317259 +E-mail/Text: bankruptcy@firstenergycorp.com Nov 20 2018 03:06:35 First Energy,
Revenue Assurance, 1310 Fairmont Avenue, Fairmont, WV 26554-3526
14294663 +E-mail/PDF: resurgentbknnotifications@resurgent.com Nov 20 2018 03:15:50 LVNV Funding,
PO Box 10497, Greenville, SC 29603-0497
14294665 +E-mail/Text: bnc-aquafinance@quantum3group.com Nov 20 2018 03:07:00 MBC Investments,
PO Box 844, Wausau, WI 54402-0844
14317263 +E-mail/Text: bnc-aquafinance@quantum3group.com Nov 20 2018 03:07:00 MBC Investments LLC,
PO Box 1584, Wausau, WI 54402-1584
14294664 +E-mail/Text: GenesisFS@ebn.phinsolutions.com Nov 20 2018 03:07:27 Mabt - Genesis Retail,
Bankcard Services, PO Box 4477, Beaverton, OR 97076-4401
14294666 +E-mail/Text: MEvan@mchl.org Nov 20 2018 03:06:54 Millcreek Community Hospital,
5515 Peach Street, Erie, PA 16509-2695
14294667 E-mail/Text: Bankruptcy@natfuel.com Nov 20 2018 03:06:32 National Fuel, PO Box 4103,
Buffalo, NY 14264
14317271 +E-mail/Text: egssupportservices@alorica.com Nov 20 2018 03:06:44 NCO Financial Systems Inc,
5 Penn Center West, Suite 100, Pittsburgh, PA 15276-0126
14345317 +E-mail/Text: Bankruptcy@natfuel.com Nov 20 2018 03:06:32 National Fuel, Legal Dept.,
P.O. Box 2081, Erie, PA 16512-2081
14309045 E-mail/PDF: cbp@onemainfinancial.com Nov 20 2018 03:15:37 OneMain, P.O. Box 70912,
Charlotte, NC 28272-0912
14294669 +E-mail/PDF: cbp@onemainfinancial.com Nov 20 2018 03:15:37 Onemain Financial/Citifinancial,
6801 Colwell Blvd, Ntsb-2320, Irving, TX 75039-3198
14295056 E-mail/PDF: rmscedi@recoverycorp.com Nov 20 2018 03:15:47 Orion Portfolio Services LLC,
c/o Recovery Management Systems Corp, 25 SE 2nd Avenue Suite 1120, Miami, FL 33131-1605
14330951 E-mail/Text: bnc-quantum@quantum3group.com Nov 20 2018 03:06:07
Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788,
Kirkland, WA 98083-0788
14295034 E-mail/PDF: rmscedi@recoverycorp.com Nov 20 2018 03:15:17
Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
Miami, FL 33131-1605
14294672 +E-mail/PDF: resurgentbknnotifications@resurgent.com Nov 20 2018 03:16:24
Square One Financial/Cach LLC, 4340 S Monaco Street, 2nd Floor, Denver, CO 80237-3485
14294674 +E-mail/Text: DL-ICOMSBankruptcy@charter.com Nov 20 2018 03:06:55 Time Warner Cable,
PO Box 0901, Carol Stream, IL 60132-0901
14317285 +E-mail/Text: bankruptcydepartment@tsico.com Nov 20 2018 03:07:07 Transworld Systems Inc,
Collection Agency, 507 Prudential Road, Horsham, PA 19044-2308
14294677 +E-mail/Text: BankruptcyNotice@upmc.edu Nov 20 2018 03:07:04 UPMC Hamot, 201 State Street,
Erie, PA 16550-0001
14294678 +E-mail/Text: wfmelectronicbankruptcyntifications@verizonwireless.com Nov 20 2018 03:05:40
Verizon, 500 Technology Drive, Suite 500, Weldon Spring, MO 63304-2225

TOTAL: 32

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Wilmington Savings Fund Society, FSB, as trustee o

District/off: 0315-1

User: vson
Form ID: 149

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14294658* First Premier, 601 South Minneapolis Ave, Sioux Falls, SD 57104
14376812* UPMC Community Medicine, PO Box 1123, Minneapolis MN 55440-1123
14317286* +UPMC Hamot, 201 State Street, Erie, PA 16550-0001
14317249 ##+CMI - Community Medicine, Inc., 1599 North Hermitage Road, Hermitage, PA 16148-3180
14294668 ##+Northwest Consumer Discount Bank, 1324 East Grandview Boulevard, Erie, PA 16504-2736
14294673 ##+Stellar Recovery Incorporated, Attn: Bankruptcy, 4500 Salisbury Road Suite 105,
Jacksonville, FL 32216-8035

TOTALS: 1, * 3, ## 3

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 21, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on November 19, 2018 at the address(es) listed below:

Daniel P. Foster on behalf of Joint Debtor Bonnie Lynn Murphy dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
Daniel P. Foster on behalf of Debtor Joel Edward Murphy dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, as trustee of
Stanwich Mortgage Loan Trust A bkgroup@kmlawgroup.com
Lisa Cancanon on behalf of Creditor Specialized Loan Servicing LLC as servicing agent for
Wilmington Savings Fund Society, FSB, DBA Christiana Trust, not in its individual capacity, but
solely in its capacity as Owner Trustee for WF 19 lisac@w-legal.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6